

GAHC010007302026



2026:GAU-AS:2142

THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/294/2026

MASUK AHMED BARBHUIYAN AND ANR
SON OF LT. RIOSOTH ALI BARBHUYA, RESIDENT OF VILL.-
BAHADURPUR-II, P.O.- RANGANTI, DIST.- HAILAKANDI.

2: ADIL SARWAR LASKAR
SON OF LT. AZIZUR RAHMAN LASKAR
RESIDENT OF VILL.-BAHADURPUR-II
P.O.- RANGANTI
P.S. AND DIST.-HAILAKANDI
PIN788155

VERSUS

THE STATE OF ASSAM AND 6 ORS.
REPRESENTED BY THE COMMISSIONER AND SECRETARY, GOVT. OF
ASSAM, DEPARTMENT OF REVENUE AND DISASTER MANAGEMENT,
DISPUR, GUWAHATI-781006.

2:THE DIRECTOR
LAND RECORDS AND SURVEYS
RAJAH BHAWAN
RUPNAGAR
GUWAHATI-781032
ASSAM.

3:THE JOINT DIRECTOR (SETTLEMENT)
RAJAH BHAWAN
RUPNAGAR
GUWAHATI- 781032
ASSAM.

4:THE DISTRICT COMMISSIONER
HAILAKANDI
ASSAM- 788151.

5:THE CIRCLE OFFICER
HAILAKANDI REVENUE CIRCLE
HAILAKANDI-788151
ASSAM.

6:THE SETTLEMENT OFFICER
HAILAKANDI
HAILAKANDI REVENUE CIRCLE
HAILAKANDI-788151
ASSAM.

7:THE PRESIDENT/ SECRETARY
MADRASSA AND MASJID COMMITTEE
RATANPUR-II
HAILAKANDI
PIN-788155

For the Petitioner(s) : Mr. S.K. Hazarika, Advocate

For the Respondent(s) : Mr. N. Goswami, Govt. Advocate
Mr. A. Bhattacharya, Standing Counsel

BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH

ORDER

Date : 13.02.2026

Heard Mr. S. Hazarika, the learned counsel appearing on behalf of the petitioners. Mr. N. Goswami, the learned Government Advocate appears on behalf of the respondent Nos. 4, 5 and 6 and Mr. A. Bhattacharya, the learned Standing Counsel appearing on behalf of the respondent Nos. 1, 2 and 3.

2. The petitioners herein are aggrieved by the settlement made by issuance of Eksana Patta No. 26 in favour of the

private respondent No. 7, as well as the demarcation carried out by the concerned Respondent Authorities. It is the case of the petitioners that such demarcation has been incorrectly carried out without looking into various details.

3. It is the opinion of this Court that the question, as to whether, the demarcation was carried out by the revenue officials, rightly or wrongly, on the basis of the respective rights of the petitioners and the respondent No. 7 cannot be decided by way of a writ petition.

4. Mr. S.K. Hazarika, the learned counsel appearing on behalf of the petitioners therefore submitted that the petitioners would like to withdraw the instant writ petition with a liberty to approach the competent Court of civil jurisdiction or any other forum permissible under law.

5. Taking into account above, the instant writ petition stands closed on withdrawal.

6. The withdrawal of the instant writ petition, however, shall not prejudice the petitioners to avail remedies before the competent Court of civil jurisdiction or before the appropriate forum as permissible under law.

JUDGE